THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9994 of 2007

Dated:03.07.2007

Between:

U.Balaraju and others.

…Petitioners

and

The District Collector, Ranga Reddy District, and others.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9994 of 2007

ORDER:

The three petitioners were allegedly granted house site pattas i.e., an extent of 120 square yards each in respect of petitioners 1 and 2 and 180 square yards in respect of petitioner No.3, in Survey No.136 situated at Gachibowli, Serilingampalli Mandal in Ranga Reddy District. They allege that in the road-widening programme, some of the land owners lost their land. The Government then directed to allot house sites in Survey No.40 of Khajaguda Village. Thereafter, it is alleged that without notice to the petitioners, the revenue authorities allotted their land to respondents 4 and 5, who asked the petitioners to vacate the land. The petitioners enquired with the third respondent, when they were informed that respondents 4 and 5 were allotted house sites in lieu of the house sites, which were used in the road-widening programme. The petitioners allege that they are still in possession of the property and at the behest of respondents 4 and 5, the third respondent is trying to evict them. In this Writ Petition, they seek a direction to the respondents not to dispossess them.

After getting instructions, the learned Assistant Government Pleader for Revenue (Assignment) submits that 120 persons were allotted house site pattas in 1987. They were asked to construct houses within a period of six months. They did not construct, and therefore, the Collector issued General Notification No.33 of 2007 proposing to cancel assignment. At that stage, the petitioners were not at all in possession of the plots in Survey No.136, and filed the present Writ Petition.

Except filing the Xerox copies of the house site pattas, dated 30.08.1988, the petitioners have not enclosed any evidence to show that they are in possession of the property. If they are in possession of the

property, they can always approach the District Collector and submit explanations pursuant to Notification No.33 of 2007. It is needless to observe that if the petitioners are in possession of the property, they cannot be dispossessed without due process of law.

The Writ Petition, with the above observations, is accordingly disposed of. No costs.

_____

(V.V.S.RAO, J)

03.07.2007
vs